

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

David M. Becker,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Robert Erlandson, et. al.,)	Case No. 1:13-cv-117
)	
Defendants.)	

On November 20, 2015, defendants files a “Motion for Summary Judgment.” On January 21, 2016, plaintiff filed response to defendants’ motion to which he attached copies of his medical records as exhibits. On January 22, 2016, plaintiff filed copies of additional medical records as a supplement to his response. Alerted by the Clerk’s office that certain number of the plaintiff’s medical records contained sensitive personal information, the court ordered these records sealed.

On February 2, 2016, plaintiff filed a “Motion for Release & Disclosure of Medical Records.” Although not entirely clear, it appears that plaintiff is laboring under the misapprehension that the court cannot or will not consider his sealed medical records when addressing defendants’ motion as in his motion he states:

In that I, the plaintiff, David Becker, am providing the court with a Privacy Act Authorization Form authorizing the courts to release & disclose my medical records, I respectfully authorize and request that the courts allow all the exhibited that have been sealed to be open & exposed & to be utilized by the court at the courts discretion in that these sealed documents are essential to support my argument, the exposure of the truth, & implementation of justice.

(Docket No. 48).

It is the court’s general practice to seal documents in which sensitive personal information

such as dates of birth and Social Security numbers has not been redacted. Such was the case with respect to certain medical records file by plaintiff. Because these records have been ordered sealed, they can only be accessed by the parties and the court. These records do not have to be unsealed in order for the court to review them. Plaintiff can rest assured that the court shall review all of the medical records he has submitted to date and give them whatever weight it deems appropriate. Insofar as plaintiff is requesting that the court unseal his medical records, his request is **DENIED**.

IT IS SO ORDERED.

Dated this 3rd day of March, 2016.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court